

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DAVID D. AUSTIN II,

Plaintiff,

v.

Case No. 15-CV-0525

JUDY P. SMITH, et al.

Defendants.

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**ORDER FOR RELEASE OF RECORDS**

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The Court, having considered the parties' *Joint Motion for Order for Release of Records of Class Members*, hereby Orders as follows:

(1) Class members are defined as "Inmates currently or formerly housed at Oshkosh Correctional Institution who were housed in "R" Unit between August 19, 2009 and April 30, 2016, or who were housed in "W" Unit between August 19, 2009 and February 28, 2016."

(2) Class Members who have been identified as of the date of this Order are listed in Exhibit 1000.

(3) "Records" are defined as documents contained in the Medical, Psychological, Programming, Legal, Social Services, Disciplinary, Wisconsin

Integrated Correction System (WICS), and Commissary/Canteen Files of Class Members.

(4) The Wisconsin Department of Corrections and its various institutions are hereby ordered to release copies of all Class Members' Records in their possession, to the Wisconsin Department of Justice, AAGs Katherine D. Spitz and Gesina S. Carson for distribution to class counsel.

(5) All Records are to be reviewed by attorneys only and designated as "Attorneys Eyes Only."

(6) All Records are subject to the Protective Order (Dkt. 54), which is attached and incorporated herein.

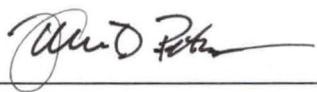
(7) The parties are prohibited from using or disclosing the protected health information for any purpose other than the litigation or proceeding for which such information was requested; and

(8) The parties must either return to the covered entity or destruction the protected health information (including all copies made) at the end of the litigation or proceeding.

(9) This Order complies with HIPAA federal standards for privacy of individually identifiable health information, 45 C.F.R. Parts 160 and 164 and state law, Wis. Stat. 146.82, et seq.

(10) This Order shall be effective throughout the pendency of this action, including any appeals.

Dated this 29<sup>th</sup> day of January, 2018.



James D. Peterson, District Court Judge